

**CITY OF HOMER  
HOMER, ALASKA**

Planning

**ORDINANCE 15-23(S)**

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING  
HOMER CITY CODE 21.40.070, REQUIREMENTS, REGARDING  
STANDARDS FOR IMPERVIOUS COVERAGE IN THE BRIDGE CREEK  
WATERSHED PROTECTION DISTRICT.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.40.070, Requirements, is amended to read as follows:

21.40.070 Requirements. The requirements of this section shall apply to all structures and uses in the BCWP district unless more stringent requirements are required pursuant to Chapter 21.71 HCC. The City of Homer water utility is exempt from this section.

a. Impervious Coverage.

1. Lots two and one-half acres and larger shall have a maximum total impervious coverage of 4.2 percent.

2. Lots smaller than two and one-half acres shall have a maximum total impervious coverage of 4.2 percent, except as provided in subsection (a)(3) of this section.

3. Lots smaller than two and one-half-acres may be allowed impervious coverage up to 6.4 percent if (a) the owner submits a lot-specific mitigation plan for the City Planner's approval, and (b) if approved, thereafter implements and continuously complies with the approved plan. The mitigation plan must be designed to mitigate the effect of impervious coverage on water flow and the effect of loss of vegetation created by the impervious coverage and shall comply with the following performance standards:

a. Disturbed areas shall be reseeded by August 31<sup>st</sup>

b. Storm water retention for the proposed new impervious surface must be provided on site.

1. The post-development stormwater discharge rate shall not exceed the pre-development peak discharge rate (PDR) for the 10-year frequency storm event, consisting of rainfall for a period of three consecutive hours at a rate of one-half inch per hour.

2. Retention may be provided in the form of one or a combination of dry wells, rain barrels, rain gardens, foot drain retention or other method approved by the City Planner.

b. Impervious Coverage Calculations.

1. For the purpose of calculating impervious coverage on lots smaller than two and one-half acres, 50% of driveways and walkways may be excluded from the calculation, if constructed and maintained in accordance with a mitigation plan that addresses the entire impervious coverage proposed for the lot, submitted and approved in accordance with subsection (a)(3) of this section. Exclusion of more than 50% of driveways and walkways from the calculation shall require approval of the Planning Commission.

2. Except as otherwise provided in this section, parcels of land subdivided after February 25, 2003, shall be allowed a total impervious coverage of 4.2 percent including right-of-way (ROW) dedication. ROW coverage area shall be calculated as 50 percent of the total area of the dedicated ROW. The impervious coverage allowed for the subdivided parcels shall be calculated after deducting the ROW coverage from the total parcel allowance according to the following formula:

Formula:

$(\text{Area of parcel being subdivided}) \times 0.042 = \text{Total allowed impervious coverage (TAC)}$

$(\text{Area of ROW dedication}) \times 0.5 = \text{ROW coverage (ROW C)}$

$(\text{TAC}) - (\text{ROW C}) = \text{Allowed impervious coverage for remainder of parcel being subdivided}$

$(\text{Area of parcel being subdivided}) - (\text{Area of ROW dedication}) = \text{New parcel area}$

$(\text{Allowed impervious coverage for remainder}) \div (\text{New parcel area}) \times 100 = \text{Percent impervious coverage allowed on subdivided lots.}$

c. Additional Requirements for Subdivisions and Lots.

1. Lots created by subdivision after February 25, 2003, shall be a minimum of four and one-half acres.

2. Applications for subdivisions, dedications, and vacations of easements and rights-of-way in the BCWP district must be approved by the Planning Commission prior to submission to the Kenai Peninsula Borough.

d. Building Setbacks. Buildings must be set back from the Bridge Creek Reservoir and from streams as provided in HCC 21.40.110 and 21.40.120.

e. Sewer Systems. Appropriate to the use of the lot, each lot shall be served by a septic or sewer system approved by the Alaska State Department of Environmental Conservation (ADEC). Stream setbacks equal to 100 feet for drain fields and subsurface discharge and 250 feet for raised septic systems are required.

f. Ongoing Construction and Timber Harvesting. All activities including, but not limited to, timber harvesting, road building, subdivision and building activities involving loss of vegetation ground cover or soil disturbance and that are in process on February 25, 2003, shall be required to obtain permits under this chapter and shall fully conform to the terms of this chapter. Activities leaving disturbed or lost vegetative ground cover, disturbed soils without revegetation or leaving slash piles will be considered in process for the purposes of this subsection, regardless of when the activity occurred.

g. Pending Subdivisions. Subdivisions that have not received final plat approval by February 25, 2003, shall obtain approval from the Planning Commission and shall be required to conform to the requirements of this chapter.

Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 23<sup>rd</sup> day of November, 2015.



CITY OF HOMER

*Mary E. Wythe*

MARY E. WYTHE, MAYOR

ATTEST:

*Jo Johnson*

JO JOHNSON, MMC, CITY CLERK

AYES: 6  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

First Reading: 6/29/15  
Public Hearing: 7/27/15 & 11/23/15  
Second Reading: 11/23/15  
Effective Date: 11/24/15

Reviewed and approved as to form:

*Mary K. Koester*

Mary K. Koester, City Manager

Date: 11.30.15

*Thomas F. Klinkner*

Thomas F. Klinkner, City Attorney

Date: 12-4-15

